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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

19

20 CORY SPENCER, an individual;
DIANA MILENA REED, an
21 individual; and COASTAL
PROTECTION RANGERS, INC., a
22 California non-profit public benefit
corporation,

23

Plaintiffs,

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vs.

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26 LUNADA BAY BOYS; THE
INDIVIDUAL MEMBERS OF THE
LUNADA BAY BOYS, including but
27 not limited to SANG LEE, BRANT
BLAKEMAN, ALAN JOHNSTON
28 AKA JALIAN JOHNSTON.

CASE NO. 2:16-cv-02129-SJO (RAOx)

Assigned District Judge Hon. S. James
Otero, Courtroom 10C

Discovery Assigned to Magistrate Judge
Hon. Rozella A. Oliver

**JOINT STATUS REPORT
REGARDING RECOVERY OF
ADDITIONAL DATA FROM
DEFENDANT SANG LEE'S CELL
PHONE, PURSUANT TO DOCKET
NO. 452**

Date: September 18, 2017

1 MICHAEL RAE PAPAYANS,
2 ANGELO FERRARA, FRANK
3 FERRARA, CHARLIE FERRARA;
4 and ___N.F.____; CITY OF PALOS
5 VERDES ESTATES; CHIEF OF
6 POLICE JEFF KEPLEY, in his
7 representative capacity; and DOES
8 1-10,

Complaint filed: March 29, 2016
Trial Date: December 12, 2017

Defendants.

8 Pursuant to Court Order, please allow this to serve as an updated status report
9 regarding the recovery of any additional data from Defendant Sang Lee’s cell
10 phone.

11 **I. INTRODUCTION**

12 On August 22, 2017, plaintiffs Coastal Protection Rangers, Inc., Diana Milena
13 Reed, and Cory Spencer (collectively “Plaintiffs”) filed a motion for sanctions
14 against defendant Sang Lee (hereinafter “Defendant Lee”) (collectively, “the
15 Parties”) regarding text messages that were unrecoverable from an extraction report
16 produced in discovery. On August 28, 2017, Judge S. James Otero referred this
17 matter to Magistrate Judge Rozella A. Oliver. The Parties engaged in a telephonic
18 hearing related to this matter on September 5, 2017, at which time Defendant Lee
19 was ordered by the court to seek out further methods of recovery to determine
20 whether further information or analysis could be obtained from his cell phone. On
21 September 12, 2017, counsel for Defendant Lee informed the Court the phone was
22 in the process of undergoing further testing. On September 12, 2017, Judge Oliver
23 ordered the parties to file a joint status report informing the Court of further meet
24 and confer efforts on the matter.

25 **II. MEET AND CONFER**

26 On September 15, 2017, counsel for Defendant Lee, Tera Lutz, spoke with
27 the forensic cell phone analyst who had completed further testing on Defendant
28 Lee’s cell phone. The same day, Ms. Lutz and counsel for Plaintiffs, Samantha

1 Wolff, discussed the issue. The Parties agreed that while two tests on the phone had
2 been completed, further testing would be necessary.

3 **III. RECOVERY EFFORTS**

4 On or about September 7, 2017, a physical extraction was completed of
5 Defendant Lee's cell phone. This is a bit-by-bit copy of the mobile device's data. It
6 is the most comprehensive and most expensive extraction. After the physical
7 extraction was completed, analysis of the data was parsed out through Cellebrite.
8 Cellebrite is a common tool used to process data for mobile forensic purposes. This
9 did not recover any new data in comparison to the original extraction report. No new
10 text messages were recoverable that were not already generated in the original
11 extraction report.

12 Another tool was also used to analyze data from the phone, called IEF Axiom.
13 IEF Axiom is similar to Cellebrite in that they both are used to process data on
14 mobile phones, however, IEF Axiom is a processing system that runs overnight.
15 This also did not recover any new data in comparison to the original extraction
16 report. No new text messages were recoverable that were not already generated in
17 the original extraction report.

18 **IV. FUTURE RECOVERY EFFORTS**

19 Two additional tools will be used in order to attempt to recover additional text
20 messages that were not recoverable in the original extraction report. First, the
21 forensic analyst will be exporting out the SMS database from the phone. This is the
22 database that holds all information regarding text messages on the phone. The
23 database will be manually reviewed to determine if there are any text messages that
24 have not been recovered. The entire database will be reviewed, including the portion
25 that contains deleted text messages.

26 Second, additional software will be run through the SMS database using a
27 tool called Blackbag. Unlike the other tools already used, this tool is made
28 specifically for iPhone products.

